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8 **UNITED STATES DISTRICT COURT**  
9 **WESTERN DISTRICT OF WASHINGTON**  
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11 Common Threads, Inc.,

12 Plaintiff,

13 v.  
14

15 Common Threads Farm,

16 Defendant.  
17

**Case No.**

**COMPLAINT FOR TRADEMARK  
INFRINGEMENT AND FALSE  
ADVERTISING**

**JURY TRIAL DEMANDED**

18 **COMPLAINT**

19 **INTRODUCTION**  
20

21 Common Threads Inc. (“Common Threads” or “Plaintiff”) is a mission-driven non-  
22 profit organization founded in 2003 to educate children on nutrition, physical wellbeing, and  
23 cultural diversity through cooking and the arts. Exhibit 1 (*Common Threads Webpage*),  
24 <https://www.commonthreads.org/>. For many low-income American families, cooking  
25 nutritious meals can feel like an expensive, time-consuming, and sometimes overwhelming  
26 task. Common Threads empowers low-income communities to maintain healthy lifestyles on

1 any budget by providing wholesome meals and teaching children how to replicate recipes and  
2 healthy habits at home. By preparing and sharing nutritious meals in the warm comfort of the  
3 kitchen, Common Threads has successfully bridged cultural boundaries and fostered a strong  
4 and vibrant community united by the *common threads* of family and food.

5 Common Threads owns two active federal trademarks. See Exhibit 2 (COMMON  
6 THREADS, US Reg. No. 7671482) (listing applicable services in International Class 41 and a  
7 first use date of March 23, 2004); Exhibit 3 (COMMON THREADS COOKING FOR LIFE &  
8 Design, US Reg. No. 6638330) (listing applicable services in International Class 41, and a first  
9 use date of July 2020). Common Threads has expended exceptional effort to grow, protect, and  
10 maintain its brand/trademarks on a national scale by using its COMMON THREADS trademark  
11 in connection with important services the organization offers within the education and nutrition  
12 space through platforms such as its website, marketing materials, and fundraising events. Any  
13 time and energy devoted to protecting its valuable trademarks and clarifying the origin of its  
14 trademarks to avoid confusion and ensure proper/effective community outreach means  
15 Common Threads needs to redirect resources that could otherwise be used to expand its efforts.

16 Common Threads is aware of multiple instances of consumer confusion between itself  
17 and Defendant Common Threads Farm (“CTF” or “Defendant”), a non-profit founded in 2007  
18 that serves a similar and laudable mission of connecting kids to healthy food in the garden,  
19 kitchen, and at the table. Exhibit 4 (*About Common Threads [Farm]*),  
20 <https://commonthreadsfarm.org/about/>. Slowly over time, CTF dropped the word “Farm” from  
21 its name, logo and website/promotional materials/merchandise and began offering highly  
22 similar/identical services in the food/nutrition education space — namely, community  
23 gardening and cooking classes in Whatcom County [Washington state] public schools. *Id.*

CTF's use of the COMMON THREADS Word Mark (defined below) and marks confusingly similar to the COMMON THREADS Word Mark in connection with highly similar/identical services offered by Common Threads have led and will likely continue to lead to multiple instances of public confusion among donors, partner organizations, government officials, and job/volunteer applicants.

### **THE PARTIES TO THIS COMPLAINT**

1. Plaintiff is a 501(3)(c) not-for-profit organization formed under the laws of Illinois, with its principal place of business at 3811 Bee Caves Rd Ste 108, West Lake Hills, Texas 78746. Common Threads exists "[t]o champion improved community health through the power of food and nutrition." Exhibit 5 (*Common Threads Webpage, Who We Are*), <https://www.commonthreads.org/who-we-are/>.

2. Upon information and belief, CTF is a 501(c)(3) not-for-profit organization organized under the laws of Washington with its principal place of business at 801 Orchard Dr. STE 2 Bellingham, Washington 98225. Exhibit 6 (*Common Threads Farm Webpage*), <https://commonthreadsfarm.org/>.

### **BASIS FOR JURISDICTION AND VENUE**

3. This Court has subject matter jurisdiction over the federal trademark claims in this action arising under the Trademark Act of 1946, as amended 15 U.S.C. §§ 1051, et seq., under 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338(a), over federal and state law unfair competition claims under 28 U.S.C. § 1338(b), and over related state claims under 28 U.S.C. § 1367(a).

4. This Court has personal jurisdiction over CTF in this action because it maintains its principal place of business in this district, regularly engages in business in this district, and the acts giving rise to the claims in this action took place in this district.

1 5. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) because the Defendant  
2 CTF resides in this judicial district, and because the actions giving rise to this action took place  
3 in this judicial district.

## 4 **BACKGROUND**

### 5 ***Common Threads***

6 6. Common Threads' community-based mission began shortly after 9/11, when co-  
7 founders Art Smith, Jesus Salgueiro, and Linda Novick O'Keefe leapt into action and cooked  
8 countless meals for families grieving loved ones lost in the attack. This experience emphasized  
9 to them how our world is a large tapestry and its people are the fabric, colorful swatches of  
10 beautifully woven material, all joined together by these *common threads* — family and food.

11 7. Hungry to expand their community impact, the co-founders created the organization  
12 now known as Common Threads in 2003. The co-founders purchased the Shiloh Baptist  
13 Missionary Church with dreams of creating a cooking school and community center. The  
14 Common Threads co-founders offered the organization's first cooking class in 2004. The space  
15 quickly became an after school sanctuary for children to access cooking and nutrition education  
16 from trained chefs/teachers as well as a forum for teaching and promoting inclusivity and  
17 community-building.

18 8. The name of the organization – Common Threads – is an homage to the organization's  
19 guiding principle: life is a tapestry, and food/family is its *common thread*. The organization's  
20 name, Common Threads, is protected by an active federal trademark registration. *See* Exhibit 2  
21 (COMMON THREADS, US Reg. No. 7671482) (listing applicable services in International  
22 Class 41 and a first use date of March 23, 2004) (hereinafter "COMMON THREADS Word  
23 Mark")  
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9. In 2004, Salgueiro designed the COMMON THREADS logo, a colorful patchwork heart accompanying the text “Common Threads.” *See* Exhibit 7 (COMMON THREADS & Design, US Reg. No. 4686907) (listing a first use date of March 23, 2004, and cancelled September 24, 2021).



10. Around Common Threads’ 10th anniversary, the organization further developed the COMMON THREADS logo by adding the accompanying text “COOKING FOR LIFE” to the logo (shown below). *See* Exhibit 3 (COMMON THREADS COOKING FOR LIFE & Design, US Reg. No. 6638330) (listing applicable services in International Class 41, and a first use date of July 2020) (hereinafter “COMMON THREADS Logo Mark”)



11. Born from tragedy, over the past two decades Common Threads has emerged as an influential nonprofit in the public eye and across the country. Since its inception, Common Threads has provided over four million snacks and meals to over 500,000 students and nearly

1 100,000 adults. Common Threads takes an innovative approach through in-person and on-  
2 demand virtual cooking and nutrition education classes taught by trained chefs. *See* Exhibit 1  
3 (*Common Threads Webpage*), <https://www.commonthreads.org/>. Common Threads’ fun and  
4 informative programing includes a wide range of educational services for students, caregivers,  
5 educators, and healthcare professionals. *Id.* These services include cooking classes and  
6 seminars for teaching the public to understand and appreciate cultural diversity using food and  
7 the other arts as the vehicle for change and understanding, online electronic newsletters in the  
8 fields of nutrition, cooking and recipes, and website content, blogs, and non-downloadable  
9 publications/articles and videos in the fields of nutrition, cooking and recipes.  
10

11 12. From appearing on popular television programs to partnering with U.S. Department of  
12 Agriculture (“USDA”) Supplemental Nutrition Education Program-Education (“SNAP-Ed”)  
13 grant program, Common Threads has maximized the efficacy of donations to spread awareness  
14 and practical knowledge. SNAP-Ed is an evidence-based federally funded program providing  
15 grants to state and local organizations that implement nutrition education programming  
16 consistent with the most recent Dietary Guidelines for Americans. Exhibit 8 (*SNAP-Ed*  
17 *Connection, About*), <https://snaped.fns.usda.gov/about>. Organizations that receive the grant  
18 funding are selected based on their efficacy. *Id.* As a 501(c)(3) not-for-profit organization,  
19 Common Threads relies on donations and federal funding to re-invest efforts into low-income  
20 communities hungry for positive change. Common Threads aspires to be a “best in class” non-  
21 profit organization, stewarding its generous donations and grant funding to maximize its impact.  
22

23 13. Common Threads has expended exceptional effort to grow, protect, and maintain its  
24 brand/trademarks on a national scale by using the COMMON THREADS trademark in  
25 connection with important services the organization offers within the education and nutrition  
26

1 space through platforms such as its website, marketing materials, and fundraising events. Any  
2 time and energy devoted to protecting its valuable trademarks and clarifying the origin of its  
3 trademarks to avoid confusion and ensure proper/effective community outreach means  
4 Common Threads needs to redirect resources that could otherwise be used to expand its efforts.

5  
6 ***Common Threads' Trademarks***

7 14. On June 27, 2024, Common Threads filed a trademark application for the COMMON  
8 THREADS Word Mark bearing the serial number 98621904. On January 28, 2025, the USPTO  
9 duly issued the COMMON THREADS Work Mark with the registration number 7671482. *See*  
10 Exhibit 2 (COMMON THREADS, US Reg. No. 7671482).

11 15. The COMMON THREADS Word Mark covers services in International Class 41:  
12 “[e]ducational services, namely cooking classes and seminars for teaching children to  
13 understand and appreciate cultural diversity using food and the other arts as the vehicle for  
14 change and understanding; On-line electronic newsletters in the fields of nutrition, cooking and  
15 recipes; Providing a website featuring blogs and non-downloadable publications in the nature  
16 of articles in the fields of nutrition, cooking and recipes; vlogs featuring non-downloadable  
17 videos in the fields of nutrition, cooking and recipes.” *See* Exhibit 2 (COMMON THREADS,  
18 US Reg. No. 7671482).

19 16. The COMMON THREADS Word Mark bears a date of first use in commerce of March  
20 23, 2004.

21 17. On March 17, 2021, Common Threads, Inc. filed a trademark application for the  
22 COMMON THREADS Logo Mark bearing the serial number 90584099. The mark “consists  
23 of the wording COMMON THREADS COOKING FOR LIFE with a heart design appearing to  
24  
25  
26

1 the left.” *See* Exhibit 3 (COMMON THREADS COOKING FOR LIFE & Design, US Reg. No.  
2 6638330).

3 18. On February 8, 2022, the United States Patent and Trademark Office (“USPTO”) duly  
4 issued the COMMON THREADS Logo Mark bearing the registration number 6638330. *See*  
5 Exhibit 3 (COMMON THREADS COOKING FOR LIFE & Design, US Reg. No. 6638330).  
6 The COMMON THREADS Logo Mark also covers services in International Class 41, namely,  
7 “[e]ducational services, namely cooking classes and seminars for teaching children to  
8 understand and appreciate cultural diversity using food and the other arts as the vehicle for  
9 change and understanding; On-line electronic newsletters in the fields of nutrition, cooking and  
10 recipes; Providing a website featuring blogs and non-downloadable publications in the nature  
11 of articles in the fields of nutrition, cooking and recipes; vlogs featuring non-downloadable  
12 videos in the fields of nutrition, cooking and recipes.” *See* Exhibit 3 (COMMON THREADS  
13 COOKING FOR LIFE & Design, US Reg. No. 6638330).  
14  
15

16 19. The COMMON THREADS Logo Mark bears a date of first use in commerce of July  
17 2020.

18 ***Common Threads Farm***

19 20. Upon information and belief, CTF was founded in 2007 and currently serves a similar  
20 and laudable mission as Common Threads “to connect kids to healthy food in the garden,  
21 kitchen, and at the table.” Exhibit 4 (*About Common Threads [Farm]*),  
22 <https://commonthreadsfarm.org/about/>.  
23

24 21. Upon information and belief, CTF currently provides services in the food/nutrition  
25 education space — namely, community cooking and gardening classes at public schools in  
26 Whatcom County during the school day and as a part of after-school extracurricular programs.





Exhibit 4 (*About Common Threads [Farm]*), <https://commonthreadsfarm.org/about/>. Upon information and belief, the services CTF initially offered did not include any educational programming in the food/nutrition education space.

22. CTF is also a 501(c)(3) not-for-profit organization that relies on government funding and donations to advance its mission. Exhibit 4 (*About Common Threads [Farm]*), <https://commonthreadsfarm.org/about/>.

23. CTF, like Common Threads, is a USDA SNAP-Ed grant recipient. Exhibit 9 (*SNAP-Ed Providers, Common Threads Farm*), <https://wasnap-ed.org/affiliation/common-threads-farm/>.

24. CTF's logo once bore its full name, Common Threads Farm. See Exhibit 10 (*Web Archive Common Threads Farm Homepage*). Now, CTF's logo states only "Common Threads" without the word "Farm" on multiple forums, including its website, promotional materials, and merchandise. See Exhibit 4 (*About Common Threads [Farm]*), <https://commonthreadsfarm.org/about/>; Exhibit 11 (*The Common Threads [Farm] Blog*), <https://commonthreadsfarm.org/blog/>; Exhibit 12 (*Common Threads [Farm] Online Store*), <https://commonthreadsfarm.app.neoncrm.com/np/clients/commonthreadsfarm/giftstore.jsp>.

Old CTF Logo	Current CTF Logo
 <p>Exhibit 10 (<i>Web Archive Common Threads Farm Homepage</i>)</p>	 <p>Exhibit 4 (<i>About Common Threads [Farm]</i>), <a href="https://commonthreadsfarm.org/about/">https://commonthreadsfarm.org/about/</a></p>

25. The bottom of CTF's website states that "Common Threads is a 501(c)(3) nonprofit" (omitting the word "Farm"). See Exhibit 4 (*About Common Threads [Farm]*), <https://commonthreadsfarm.org/about/>. Moreover, the "Donate" sub-page of CTF's website

1 thanks donors for “supporting Common Threads” (omitting the word “Farm”). Exhibit 13  
 2 (Common Threads Farm Donation Page),  
 3 <https://commonthreadsfarm.app.neoncrm.com/forms/33>.

4 26. Upon information and belief, CTF does not own any active federally registered  
 5 trademarks.

6 27. Upon information and belief, CTF does not own any active trademarks registered in the  
 7 State of Washington.  
 8

### 9 *Consumer Confusion*

10 28. Common Threads has no affiliation with CTF. Common Threads does not authorize  
 11 CTF’s use of the COMMON THREADS Word Mark or marks confusingly similar to the  
 12 COMMON THREADS Word Mark in connection with highly similar/identical services offered  
 13 by Common Threads.  
 14

15 29. Common Threads believes there is a high likelihood of consumer confusion as well as  
 16 multiple instances of actual confusion between Common Threads and CTF.

17 30. CTF omits the word “Farm” in its logo and when referencing itself on multiple  
 18 forums, including its website, promotional materials, and merchandise. *See* Exhibit 4 (*About*  
 19 *Common Threads [Farm]*), <https://commonthreadsfarm.org/about/>; Exhibit 11 (*The Common*  
 20 *Threads [Farm] Blog*), <https://commonthreadsfarm.org/blog/>; Exhibit 12 (*Common Threads*  
 21 *[Farm] Online Store*),  
 22

23 <https://commonthreadsfarm.app.neoncrm.com/np/clients/commonthreadsfarm/giftstore.jsp>;

24 Exhibit 13 (*Common Threads Farm Donation Page*),

25 <https://commonthreadsfarm.app.neoncrm.com/forms/33>.  
 26

31. Upon information and belief, CTF's use of the COMMON THREADS Word Mark and marks confusingly similar to the COMMON THREADS Word Mark in connection with highly similar/identical services offered by Common Threads leads to a likelihood of confusion among consumers and the public.

32. CTF posted a volunteer opportunity entitled "Cooking at Roosevelt," (shown below) in which CTF referred to itself as "Common Threads" and listed Common Threads' email address for volunteer inquiries.

### *Cooking at Roosevelt*

*Common Threads is the local nonprofit that provides gardening and cooking lessons to your children in Bellingham Public Schools. In the fall and spring food educators work with students in the garden, and during the winter students will have two opportunities to cook the plants that they've grown. Common Threads will be visiting Roosevelt November 28th and 30th. If you are interested in getting involved and would like to assist with cooking classes in your child's classroom or at your school, please contact [info@commonthreads.org](mailto:info@commonthreads.org).*

33. CTF's use of the COMMON THREADS Word Mark and marks confusingly similar to the COMMON THREADS Word Mark in connection with highly similar/identical services offered by Common Threads leads to a likelihood of confusion among consumers and the public. In fact, in response to CTF's volunteer posting, Common Threads received communications from potential volunteers confusing Common Threads with CTF.

34. CTF posted a full-time job opening for "Cooking Program Manager," (shown below) in which the company listed in the job posting was "Common Threads" and the company description section of the job posting utilizes the term "Common Threads" without "Farm" numerous times. Exhibit 14 (*Good Food Jobs, Cooking Program Manager*), <https://www.goodfoodjobs.com/jobs/161223/cooking-program-manager.html>.

## Cooking Program Manager

Common Threads

**Date Posted** November 11, 2022  
**Location** Bellingham, WA  
**Category** Culinary / Education  
**Job type** Full-Time

### COMPANY DESCRIPTION

Common Threads connects kids to healthy food in the garden, in the kitchen, and at the table. We want kids to grow up making food choices that are good for their bodies, their communities, and the environment. Founded in 2007 and based in Bellingham, Washington, Common Threads is a grassroots, 501(c)(3) non-profit organization that promotes a "seed to table" approach to food production, good nutrition, and environmental stewardship. Historically, most of our programs have taken place on public school grounds, during the school day. Common Threads also runs after-school and spring/summer gardening and cooking programs at schools, community centers and affordable housing complexes.

35. CTF's use of the COMMON THREADS Word Mark and marks confusingly similar to the COMMON THREADS Word Mark in connection with highly similar/identical services offered by Common Threads leads to a likelihood of confusion among consumers and the public.

36. A representative from the USDA contacted Common Threads in relation to an erroneous Food Programs Reporting System report. Upon investigation, it was revealed that the USDA representative confused Common Threads with CTF, and the report was associated with CTF rather than Common Threads.

37. A different representative from the USDA contacted Common Threads' Financial Controller regarding alleged errors in a recently submitted quarterly financial report. Upon investigation, it was revealed that the USDA representative confused Common Threads with CTF.

1 38. Upon information and belief, CTF using the COMMON THREADS Word Mark and  
2 marks confusingly similar to the COMMON THREADS Word Mark in connection with highly  
3 similar/identical services offered by Common Threads led to the USDA representatives' actual  
4 confusion. CTF's continuing use of the COMMON THREADS Word Mark and marks  
5 confusingly similar to the COMMON THREADS Word Mark in connection with highly  
6 similar/identical services offered by Common Threads leads to a likelihood of confusion among  
7 consumers and the public, including government officials.

9 39. Common Threads, through its counsel, repeatedly sent cease and desist letters and  
10 follow-up communications to CTF. The continuing infringement by CTF after receipt of actual  
11 knowledge of Common Threads' cease and desist demands is intentional and done in bad faith.

### 12 **COUNT I**

#### 13 **Trademark Infringement of a Federally Registered Mark Under 15 U.S.C. § 1114**

14 40. Plaintiff repeats and realleges each of the allegations in the foregoing paragraphs as if  
15 fully set forth herein.

16 41. Plaintiff owns all rights, title, and interest in the U.S. trademark and any related  
17 registrations for the COMMON THREADS Word Mark.

18 42. The COMMON THREADS Word Mark has become uniquely associated with, and thus  
19 only identifies, Plaintiff.

20 43. The COMMON THREADS Word Mark is distinctive and registered on the USPTO  
21 Federal Principal Register.

22 44. Plaintiff has used the COMMON THREADS Word Mark in commerce continuously  
23 and extensively in the United States since March 23, 2004. As a result, the public associates the  
24 COMMON THREADS Word Mark with Plaintiff, and Plaintiff has developed valuable  
25 goodwill in the marketplace through the use of its mark.  
26

1 45. Defendant's unauthorized use of "Common Threads" without "Farm" in relation to  
2 educational services, namely cooking classes and seminars for teaching children, on-line  
3 electronic newsletters in the fields of nutrition, cooking and recipes, and providing a website  
4 featuring blogs and non-downloadable publications in the nature of articles in the fields of  
5 nutrition, cooking and recipes, is likely to cause and/or has caused confusion, deception, or  
6 mistake as to the affiliation, connection, or association of the source identity of the COMMON  
7 THREADS Word Mark.  
8

9 46. Defendant's use of "Common Threads Farm" in relation to educational services, namely  
10 cooking classes and seminars for teaching children, on-line electronic newsletters in the fields  
11 of nutrition, cooking and recipes, and providing a website featuring blogs and non-  
12 downloadable publications in the nature of articles in the fields of nutrition, cooking and  
13 recipes, is likely to cause and/or has caused confusion, deception, or mistake as to the affiliation,  
14 connection, or association of the source identity of the COMMON THREADS Word Mark.  
15

16 47. The continuing infringement by CTF after receipt of actual knowledge of Common  
17 Threads' cease and desist demands is intentional and done in bad faith.

18 48. Upon information and belief, Defendant's willful and intentional acts, in bad faith, of  
19 trademark infringement of a federally registered mark under 15 U.S.C. § 1114 have caused and  
20 are continuing to cause great and irreparable injury and damage to Plaintiff's business and its  
21 goodwill and reputation. Plaintiff, through counsel, repeatedly sent cease and desist letters and  
22 follow-up communications to Defendant.  
23

24 49. The aforesaid acts of the Defendant have caused and, unless enjoined by this Court, are  
25 likely to continue to cause Plaintiff to suffer irreparable harm to its business, reputation, and  
26 goodwill.

**COUNT II**

**False Advertising Under 15 U.S.C. § 1125(a)**

50. Plaintiff repeats and realleges each of the allegations in the foregoing paragraphs as if fully set forth herein.

51. Upon information and belief, by its knowing and intentional unauthorized imitation, adoption, and use of Plaintiff's COMMON THREADS Word Mark and/or marks which are confusingly similar to Plaintiff's COMMON THREADS Word Mark in association with Defendant's goods and services, Defendant has and continues to falsely designate its goods and services as being derived or affiliated with those of the Plaintiff.

52. Defendant's use of the COMMON THREADS Word Mark is likely to cause and/or has caused relevant consumers to mistakenly believe that Defendant has an affiliation with Plaintiff, that Defendant's business is sponsored or approved by Plaintiff, or that Defendant is otherwise associated with or has obtained permission from Plaintiff to use the COMMON THREADS Word Mark in connection with the sale of Defendant's goods and services.

53. Upon information and belief, by engaging in the unauthorized activities described above, Defendant has made, and continues to make, false, deceptive, and misleading statements constituting false representations and false advertising made in connection with the sale/distribution of goods or services in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a). Furthermore, in view of the notices provided to Defendant by the acts of Plaintiff, through repeated cease and desist letters and follow-up communications from counsel on behalf of Plaintiff, such activities were, and remain, willful and intentional.

54. Upon information and belief, the aforesaid acts of the Defendant have caused and, unless enjoined by this Court, are likely to continue to cause Plaintiff to suffer irreparable harm to its business, reputation, and goodwill.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully seeks:

1. judgment in favor of Common Threads and against CTF on each claim;
2. preliminary and/or permanent injunction against CTF and its respective officers, agents, servants, employees, and those acting in privity with it, from further infringement of Common Threads' word mark;
3. an award of monetary damages in an amount to be determined at trial;
4. an award of all costs and attorney's fees in favor of Common Threads against the Defendant pursuant to § 35 of the Lanham Act, 15 § U.S.C. 1117 or as otherwise permitted by law; and
5. an award to Common Threads of any further relief as this Court may deem just and proper.

Dated: April 14, 2025

Respectfully submitted,

/s/ John Guadnola

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AND

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